

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LEEGER REALTY LLC and BERNARD  
COHEN, both individually and in his capacity  
as Trustee of the Bernard Cohen Revocable  
Trust,

Plaintiffs,

v.

TRUSTCO BANK,

Defendant.

**NOTICE OF MOTION BY DEFENDANT  
TRUSTCO BANK TO VACATE AN ORDER  
PURSUANT TO RULE 60(b)(1), 60(b)(4)  
AND 60(b)(6) AND DISMISS THIS ACTION  
PURSUANT TO RULE 12(h)(3)**  
No. 17-cv-2934(KMK)(LMS)

PLEASE TAKE NOTICE, that, upon the Declaration of Peter A. Pastore, Esq. dated July 17, 2018, the exhibits attached thereto, the Affidavit of Joseph A. Maria and the accompanying Memorandum of Law, Defendant, Trustco Bank will move this Court at 300 Quarropas Street, White Plains, New York, 10601, for an Order pursuant to Rule 60(b)(1), 60(b)(4) and 60(b)(6) vacating the Opinion and Order of this Court filed June 4, 2018 and dismissing this action pursuant to Rule 12(h)(3).

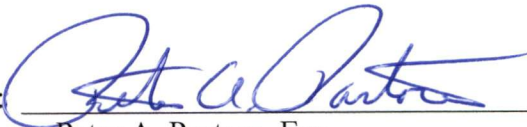
Oral argument will be on a date and at a time designated by the Court.

DATED: Albany, New York  
July 17, 2018

Respectfully submitted,

MCNAMEE LOCHNER P.C.

By:



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